



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10/IDS

In re Application of: )  
 )  
Masatoshi FUJIMOTO et al. )  
 )  
Application No.: 10/076,273 )  
 )  
Filed: February 19, 2002 )  
 )  
For: RADIOISOTOPE GENERATING )  
 APPARATUS )

Group Art Unit: 3641  
Examiner: J. Richardson

Commissioner for Patents  
U.S. Patent and Trademark Office  
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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed concurrently with a request for continued examination ("RCE") under 37 C.F.R. § 1.114 and is thus being filed before the mailing date of a first Office Action after the filing of an RCE in accordance with 37 C.F.R. § 1.97(b)(4). Accordingly, Applicants do not believe that a fee is due for filing this paper.

Copies of the listed documents are attached.

Applicants request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "Prior

Art." If it should be determined that the listed document does not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

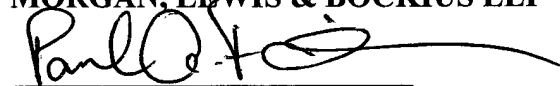
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:



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Dated: December 31, 2003

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